IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 20TH NOVEMBER 2007 / 29TH KARTHIKA 1929

WP(C).No. 32356 of 2004(B)

PETITIONER:

ABRAHAM MATHEW, VAZHACKAL HOUSE,
PUTHENCHANDA P.O., VAKATHANAM,
KOTTAYAM DISTRICT.

BY ADV. SRI.V.P.MOHAMMED NIYAZ

RESPONDENTS:

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1. STATE OF KERALA, REP.BY SECRETARY,
REVENUE DEPARTMENT, SECRETARIAT,
TRIVANDRUM.

2. DEPUTY THAHASILDAR, REVENUE RECOVERY,
CHANGANACHERRY, KOTTAYAM.

3. THRESIAMMA, PALLIPATTU HOUSE,
PARAMBUZHA, KOTTAYAM.

BY SMT.SMITHA, GOVERNMENT PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 32356/2004

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF NOTICE DATED 12/10/2004 DEMANDING RS.21,968/- ISSUED BY 2ND RESPONDENT TO PETITIONER.

P2 : COPY OF NOTICE DATED NIL ISSUED BY 2ND RESPONDENT TO PETITIONER.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 32356 of 2004

Dated, this the 20th day of November, 2007

J U D G M E N T

Petitioner is challenging recovery proceedings initiated for recovery of compensation awarded by Motor Accident Claims Tribunal. Since the award is not produced or challenged in this Court, there is no scope for entertaining challenge against recovery proceedings against the same. However, since conditional stay was granted by this Court and if petitioner has made payment in terms of the interim order, I feel interest for the future and collection charges can be waived, provided, petitioner clears the balance arrears within a period of one month from the date of receipt of a copy of this judgment. This writ petition is, accordingly, disposed of granting time as above to the petitioner to pay the balance arrears without future interest and collection charges, failing which recovery will be made with full interest and collection charges.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg